

10/561371

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Chen et al.

IAP20 RECEIVED 21 DEC 2005

Serial No: TBD

Art Unit: TBD

Filed:

Examiner: TBDFor: OPTHALMIC COMPOSITIONS FOR TREATING
OCULAR HYPERTENSIONCommissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450INFORMATION DISCLOSURE STATEMENT
UNDER 37 CFR 1.97

Sir:

1. In compliance with 37 C.F.R. 1.97, submitted on the attached form herewith is a list of patents, publications or other information which are requested to be made of record in this application. This Information Disclosure Statement is not an admission that any patent, publication or other information referred to herein is "prior art" for this invention. In accordance with 37 C.F.R. 1.97(h), the filing of this Information Disclosure Statement shall not be construed to be an admission that the information cited in the Statement is, or is considered to be, material to patentability as defined in 37 C.F.R. 1.56(b).
2. In accordance with 37 C.F.R. 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.
3. Applicants respectfully request that the Examiner initial the attached form after reviewing the pertinence of each reference.
4. Pursuant to 37 C.F.R. 1.98 (a)(2)(ii), copies of each cited U.S. patent and each U.S. patent application publication are not enclosed herewith.

EXPRESS MAIL CERTIFICATE
DATE OF DEPOSIT 12-21-05
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INFORMATION DISCLOSURE STATEMENT
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5. Pursuant to 37 C.F.R. 1.98(d), copies of references listed on the attached form that were submitted to or cited by the Office in a related application upon which the instant application relies for an earlier filing date under 35 U.S.C. 120 are not enclosed. Related application(s) in which references were submitted to or cited by the Office are as follows:

RELATED APPLICATION		
U. S. SERIAL NUMBER	FILING DATE	MERCK CASE

If this is inconvenient, additional copies will be submitted upon request.

6. In accordance with 37 C.F.R. 1.97, (check one)

- ☒ the attached information is filed within three months of the filing date of the captioned case.
- ☐ the attached information is filed more than three months after the filing date but prior to the mailing of a first Office Action on the merits.
- ☐ the attached information is filed before the mailing of a first Office action after the filing of a request for continued examination under §1.114.
- ☐ the attached information is being filed more than three months after the filing date and after the mailing of a first Office Action on the merits, but before the mailing date of a Final Action, Notice of Allowance, or an action that otherwise closes prosecution in the application. The enclosed authorization is therefore given to charge Deposit Account No. 13-2755 for the fee required under 37 C.F.R. 1.17(p).
- ☐ each item of information contained in this Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Statement.
- ☐ each item of information contained in the information disclosure statement was first cited in any communication from a foreign patent office in a counterpart application *and this communication was not received by any individual designated in §1.56(c) more than thirty days prior to the filing of the information disclosure statement.*
- ☐ no item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the certification after making reasonable inquiry, was known to any individual designated under 37 C.F.R. 1.56(c) more than three months prior to the filing of this Statement.

Respectfully submitted,

By: Sylvia A. Ayler
 Attorney For Applicant(s)

Reg. No. 36,436

MERCK & CO., INC.

Patent Dept., RY60-30

P.O. Box 2000

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(732)594-4909

Date: December 21, 2005

Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT <i>(use as many sheets as necessary)</i>			COMPLETE IF KNOWN		
			Application Number	TBD 10/561571	
			Filing Date		
			First Named Inventor	Chen et al.	
			Group Art Unit	TBD	
			Examiner Name	TBD	
Sheet	1	of	3	Attorney Docket Number	21406YP

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		5573758		Adorante et al.	11/12/1996
		5925342		Adorante et al.	07/20/1999
		5889052		Klimko et al.	03/30/1999
		5296504		Stjerschantz et al.	03/22/1994
		5422368		Stjerschantz et al.	06/06/1995
		5151444		Ueno et al.	09/28/2005
		4690931		Woodward et al.	10/04/1994
		5352708		Woodward et al.	10/04/1994
		4983620		Giani et al.	01/08/1991
		5294631		Franz et al.	03/15/1994
		5502187		Ayer et al.	05/26/1996
		6204264		Kobayashi et al.	03/20/2001

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Office	Number	Kind Code (if known)		
		PCT	WO 89/10757	A1	Leo Pharmaceuticals	11/16/1989
		PCT	WO 94/28900	A1	Vide Pharmaceuticals	12/21/1994
		PCT	WO 96/33719	A1	Allergan	10/31/1996
		PCT	WO 02/24647	A1	Novartis AG	05/04/2000
		PCT	WO 02/42268	A2	Pfizer Products	05/30/2002
		EP	EP 1114816	A1	Ono Pharmaceuticals	07/11/2001
		PCT	WO 01/46140	A1	Pfizer Products	06/28/2001
		PCT	WO 01/72268	A1	Toray Industries	10/04/2004
		PCT	WO 94/13275	A1	Massachusetts Eye and Ear Infirmary	06/23/1994
		PCT	WO 04/085431 (Eq. toCA04000471)	A1	Merck Frosst Canada & Co.	10/07/2004

Examiner Signature		Date Considered	
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COMPLETE IF KNOWN

Application Number _____

TBD. 21 DEC 2005

Filing Date

10/56157

First Named Inventor

Chen et al.

Group Art Unit

TBD

Examiner Name

TBD

Sheet

3

of

3

Attorney Docket Number

21406YP.

Examiner
Initials*Cite
No.

Include name of the author, title, date, page(s), volume-issue number(s) and place of publication.

Berg et al., "Pharmaceutical Salts", 1977, Vol. 66, pp. 1-19, J. Pharm. Sci.

Walker et al., "Conversion of Carboxylic Acids into Aldehydes and their C-1 or C-2 Deuteriated Derivatives", 1981, pp. 303, Communication.

Eliel et al., "Chirality in Molecules Devoid of Chiral Centers", 1994, Chapter 14, pp. 1119-1190, *Stereochemistry of Organic Compounds*.

Examiner
Signature

Date
Considered

*Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

SEND TO: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450.

Computer generated form "IDS Form" (IDS Folder), Merck & Co., Inc., -7/12/2005